



General Assembly

February Session, 2016

Raised Bill No. 431

LCO No. 2738



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING CONSENT ORDERS ENTERED INTO BY THE
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-6dd of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, whenever
4 the [Department of Energy and Environmental Protection]
5 commissioner enters a consent order with a party, such consent order
6 may not be modified or revoked without the consent of the party.
7 [concerning] If the consent order concerns one or more parcels of land
8 and such consent order requires, in whole or in part, the remediation
9 of such land, the requirements and standards for such remediation
10 shall not be modified by the [department] commissioner unless both
11 the [department] commissioner and such party agree to such
12 modification. The commissioner or a party to any consent order may
13 seek declaratory and injunctive relief from the Superior Court to
14 resolve any dispute concerning the terms and conditions of, and
15 compliance with, the consent order. Such declaratory and injunctive

16 relief is in addition to any other administrative or civil remedies
17 allowed by law.

18 (b) The provisions of subsection (a) of this section shall apply to any
19 consent order entered into by a party and the commissioner, or the
20 commissioner's designee, before, on or after the effective date of this
21 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-6dd

Statement of Purpose:

To ensure that any consent order entered into by a party and the Commissioner of Energy and Environmental Protection, or the commissioner's designee, is not modified or revoked without the consent of the party.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]